

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : David Szymanski

TITLE : WOOD CUTTING SAW CHAIN AND  
REPLACEMENT CUTTING  
MEMBERS

APPLICATION NO. : 10/780,323

FILED : 02/17/2004

CONFIRMATION NO. : 1107

EXAMINER : Clark F. Dexter

ART UNIT : 3724

LAST OFFICE ACTION : February 6, 2008

ATTORNEY DOCKET NO. : INDI 2 00002

**RESPONSE TO NON-COMPLIANT APPEAL BRIEF**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

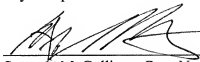
Responsive to the Notice of Non-Compliant Appeal Brief mailed November 25, 2008, on the above-referenced patent application, Applicant hereby submits page 3 of the Appeal Brief (Status of the Claims).

### CONCLUSION

The foregoing submission is believed to meet the requirements of the Notification of Non-Compliant Appeal Brief, and the Applicant awaits further action on the application from the Patent and Trademark Office.

Respectfully submitted,

Fay Sharpe LLP



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12/23/08  
Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input checked="" type="checkbox"/> transmitted to the USPTO <del>by facsimile</del> in accordance with 37 CFR 1.18 on the date indicated below. <i>via electronic filing</i>	
Express Mail Label No.:	Signature: <i>G. Sonntag</i>
Date: <i>12/23/08</i>	Name: <i>G. SONNTAG</i>

### **III. STATUS OF CLAIMS**

The status of the claims set forth in the Office Action mailed on February 06, 2008 was, and is, as follows:

Claims 1-3, 5-27, 29 and 30 are on appeal.

Claims 1-3, 5-27, 29 and 30 are pending.

Claims 1-3, 5-10, 12-16, 18-20, 23 and 24 are rejected.

Claims 4 and 28 have been cancelled.

Claims 11, 17, 21, 22, 25-27, 29 and 30 are withdrawn from consideration.